

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BILLY CEPERO,)	3:12-CV-0263-MMD (VPC)
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	June 30, 2014
)	
HIGH DESERT STATE PRISON,)	
et al.,)	
)	
Defendants.)	
)	

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

At the March 10, 2014 hearing, the court found that “the issue regarding service of defendants De La Rey and Steven has been resolved” (#113). Plaintiff has now filed a motion for reconsideration with proof of defendant’s existence as employees of NDOC (#123). Although the motion is unclear, the court assumes plaintiff is seeking reconsideration of its order #113 concerning defendant Steven. However, plaintiff submitted as evidence an inmate request form which clearly states “... RN Steven is not here any longer.” Moreover, the NDOC Humber Resource office has reported that it “could not find anyone past or present with the last names of DeLa Rey or Steven” (#101).

The court is uncertain whether “Steven” was this defendant’s first name, last name, is spelled incorrectly, or whether this person was misidentified, or ever existed in the first instance. However, the court is certain that the time for service of process has expired and this defendant is not able to be located or served. Therefore,

IT IS ORDERED that plaintiff’s motion for reconsideration (#123) is **DENIED**.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: _____ /s/
Deputy Clerk